

State Law Library of Montana

MONTANA LEGISLATIVE HISTORY

Chapter 431 Session L 1979
Bill House 23 Senate _____

History and final status sheet X
Introduced bill X
Fiscal note N/A
Third reading bill X
Final version of bill X

House Committee on State Administration

Hearing date(s)* 1/24

Executive action (vote) date(s)* 1/24

Comm. Report 1/24

Floor 2nd reading & vote 1/26 (Pass)

Floor 3rd reading & vote 1/29 (Pass)

Senate Committee on State Administration

Hearing date(s)* 3/14

Executive action (vote) date(s)* 3/14

Comm. Report 3/14

Floor 2nd reading & vote 3/17 (Concur)

Floor 3rd reading & vote 3/20 (Concu)

Conference or Free Conference Comm. _____ Yes X No

Hearing date(s)* _____

Executive action (vote) date(s)* _____

* Includes minutes, exhibits, roll call, visitors register, and vote sheet if available.

Did this bill originate in an interim committee? _____ Yes X No

Committee _____ Report _____

NOTES:

The Law Library has no exhibits from this house committee on State Administration for this date. The Montana Historical Society (406-444-2681) may have them, if exhibits were available.



Compiled by: SJL

Date: 2/12/2016

CHAPTER NO. 431

HOUSE BILL NO. 23

INTRODUCED BY K. ROBBINS

BY REQUEST OF THE DEPARTMENT
OF PROFESSIONAL AND OCCUPATIONAL LICENSING

IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on State Administration.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.
January 24, 1979	Committee recommend bill do pass. Report adopted.
January 25, 1979	Printed and placed on members' desks.
January 26, 1979	Second reading, do pass.
January 27, 1979	Considered correctly engrossed.
January 29, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

January 30, 1979	Introduced and referred to Committee on State Administration.
March 15, 1979	Committee recommend bill be concurred in. Report adopted.
March 17, 1979	Second reading, concurred in.
March 20, 1979	Third reading, concurred in.

IN THE HOUSE

March 21, 1979

Returned from second house.
Concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 23
2 INTRODUCED BY _____
3 BY REQUEST OF THE DEPARTMENT
4 OF PROFESSIONAL AND OCCUPATIONAL LICENSING
5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THE BOARD OF
7 VETERINARIANS TO ESTABLISH LICENSE AND EXAMINATION FEES FOR
8 VETERINARIANS AND VETERINARY TECHNICIANS AND TO REQUIRE
9 APPLICANTS FOR VETERINARY TECHNICIAN LICENSES TO FILE
10 APPLICATIONS AND FEES WITH THE DEPARTMENT OF PROFESSIONAL
11 AND OCCUPATIONAL LICENSING; AMENDING SECTIONS 37-18-302,
12 37-18-303, AND 37-18-401, MCA; PROVIDING AN EFFECTIVE DATE."
13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
15 Section 1. Section 37-18-302, MCA, is amended to read:
16 "37-18-302. Application -- qualification -- fee. A
17 citizen of the United States desiring to begin the practice
18 of veterinary medicine or veterinary surgery in this state
19 or who desires to hold himself out to the public as a
20 practitioner of veterinary medicine or veterinary surgery,
21 except as provided in 37-18-104, shall make application to
22 the department for a license to do so. The application shall
23 be on a form furnished by the department and shall be
24 accompanied by satisfactory evidence of the good moral
25 character of the applicant and shall present evidence of his

1 having graduated in and received a degree from a legally
2 authorized veterinary medical school having educational
3 standards equal to those approved by the American veterinary
4 medical association. On application, a photostatic copy of
5 the diploma of the applicant shall be submitted to the
6 department for inspection and verification. The photostatic
7 copy remains the property of the department. A person
8 applying for a license to practice shall pay to the
9 department a ~~nonrefundable fee of \$25, which may not be~~
10 ~~refunded commensurate with the costs of the examinations and~~
11 ~~set annually by the board."~~

12 Section 2. Section 37-18-303, MCA, is amended to read:
13 "37-18-303. Examination -- temporary permit pending
14 examination. (1) Subject to 37-1-101, the board shall by
15 means of examination, either oral, written, or practical or
16 a combination of oral, written, or practical as the board
17 determines, ascertain the professional qualifications for
18 license of applicants under this part. An investigation
19 under reciprocity arrangements may replace examination for
20 licensees from other states under 37-18-304. The department
21 shall issue a license to all who are found to be, in the
22 judgment of the board, competent to practice. A license may
23 not be issued to a person who is not found by the
24 examination or investigation to be competent.

25 (2) The examination shall be held in January and June

of each year at a time and place specified by the board. The examination shall cover theory and practice, pharmacology and therapeutics, animal sanitation, surgery, communicable diseases, and other subjects chosen by the board which are ordinarily included in the curriculum of a school of veterinary medicine recognized and approved by the American veterinary medical association.

(3) The department shall consecutively number applications received, note on each the disposition made of it, and preserve them for reference and shall number consecutively licenses issued.

(4) Applicants must achieve a grade of 70% in all subjects in order to obtain a license. An applicant who has failed an examination may apply to be reexamined at a subsequent examination and shall pay another application fee ~~in the amount of \$25 commensurate with the costs of the examinations and set annually by the board~~ and shall take another complete examination in all subjects.

(5) An applicant for examination may, in the discretion of the board, be given a temporary permit to practice veterinary medicine prior to taking the examination if the applicant is employed by and working under the supervision of and in the same office with a veterinarian licensed under this part. The temporary permit is valid only until the date of the next examination. Under no

circumstances may a second temporary permit be issued to the same person. A temporary permit may not be issued to a person who has failed an examination given under this section."

Section 3. Section 37-18-401, MCA, is amended to read:

"37-18-401. Application — fee -- qualifications of applicants. Each candidate for examination as a veterinary technician shall file, in his full name, an application for examination with the board department at least 30 days before the date set by the board for the commencement of the examination and at the time of making the application shall pay the board department a fee of \$25 ~~commensurate with the costs of the examinations and set annually by the board~~. The applicant shall furnish satisfactory proof that he is of good moral character and has earned a diploma or certificate from a school of veterinary technology offering a course of study recognized and approved by the board of veterinarians, as well as such other information as may be required by the board."

Section 4. Effective date. This act is effective upon passage and approval.

-End-

Chairman Brand called the meeting to order at 9:10 a.m., roll call was taken with Rep. Azzara absent.

HJR 9-Sponsored by Rep. Frates -- This endeavors to put in the Codes a mandate for door viewers. The senior citizens are concerned about their security in these public housing projects. The viewers cost about \$3.95 each, and \$3.15 when you buy alot, and take about three minutes to install.

JAMES KEMBLE-Building Codes Administrator, Dept. of Administration -- Mr. Kemble submitted a proposed amendment, (see Attachment #1), clarifying that the language in the introduced bill would tend to throw out everything done previously.

NO OPPONENTS

BRAND-When you have a multiple family dwelling, does the senior citizen have to be the owner? FRATES-The intent is if a senior citizen happens to be managing an apartment, or owns it and has a rental supplement, he wouldn't have to put this on his own door but would be required to do the others. MAGONE-I can't see the reason for the exemption. Why exclude anybody? FRATES-I didn't intend that, so we amended it. I would be pleased if we just dropped the last paragraph on the original bill. BRAND-What if we strike everything after "construction." on line 19? KROPP-This just deals with senior citizens? FRATES-Yes. PORTER-What about long term care facilities -- would this require the same thing of them? FRATES-The intent was only for residences. In your hospitals you have nurses and other people working in them. We are trying to protect them in their own homes. If you could amend that in a way to exclude that.....McBRIDE-What if you change page 2, lines 9 and 10 - Strike: "occupation" and Insert: "residence. What do you mean by "buildings primarily for senior citizens"? FRATES-This means those buildings built by the government and subsidized specifically for senior citizens. FEDA-If I'm a senior citizen living in my own home, does this mean that I have to put a peep-hole in my door? FRATES-No, I don't think the intent was to mandate homeowners. BAETH-The state building code doesn't cover individual homes does it? FRATES-Yes, they do and they could make this mandatory.

HB 23-Sponsored by Rep. Ken Robbins -- This was submitted for the Board of Veterinarians, to let them set commensurate fees for exams. Presently, the fee doesn't cover the cost of the exam and the administration. He spoke about the fee amendments in the bill. Anyone failing can take the test again but must pay the fee again; and the bill provides for an immediate effective date. Robbins pointed out that Ed. Carney, Director of the Department of Professional and Occupational Licensing, was present at the hearing to answer any questions.

NO OPPONENTS

KROPP-What is the 'cost commensurate'? CARNEY-If an exam is a 3 or 4 day exam, with the board meeting on one day; then the vets' exam is one day and the technicians exam is another day. 40 applicants would bring in \$1,000; so, with this the exam would pay it's own cost. It think it would go from \$35 - \$40 whereas it is currently \$25. BRAND-In most of the costs for these before you had a set rate, and now we have all these agencies wanting to set their own rates and be flexible. CARNEY-Before reorganization, they would come in and set the fee. Now,

(CARNEY continued) alot of boards have moved to national examinations; but the vets haven't because the national test costs \$40 - \$45 and they just can't afford it. With this bill, they can have the option of making their own test or using the national exam. BRAND-Would they be regulated by the state as far as not getting outrageous? CARNEY-They are regulated as far as per diem and mileage. This bill would have no affect on what the board members receive. MAGONE-If a board so desired to set a really high fee to keep out new applicants, couldn't they with this bill? CARNEY-All it would take is a judgement saying that this fee wasn't commensurate with the law. The burden of proof is on the board to show that the cost is reasonable. BRAND-Wouldn't the complainant have to pay court costs? CARNEY-No. Where you use discretionary procedures, you go before the Administrative Procedures Committee. McBRIDE-Would you be opposed to a maximum figure on here so that there would be a limit? CARNEY-My only problem is that legislators don't want these piddly little bills in here every session. O'CONNELL-I don't like open ended things and blank checks, so I think we need a firm figure.

HB 169-Code Commissioner Bill Sponsored by Rep. Kvaalen, Explained by Joan Mayer, Legislative Council Staff Attorney in charge of retirement bills in recodification. The explanation offered by Ms. Mayer is fully elaborated in Attachment #2.

VERA FRICKSON-Montana State Firemens' Association -- We have no problems with this and support it.

LARRY NACHTSHEIM-Administrator, PERS, Dept. of Admin. -- Our staff has looked this over and we find no problems.

NO OPPONENTS

KROPP-Did you say there are no substantive changes? MAYER-Yes. SMITH-Are we checking errors from two years ago? MAYER-Some errors, but mostly clarification. Every session it is difficult to make all the bills consistent because you don't know what bills will pass, so this procedure takes in changes each succeeding session. The new section in the bill only applies to Chapter 9 of Title 19.

EXECUTIVE SESSION

HB 208-BRAND-We have given you 24 hours, Rep. Pistoria, what is your pleasure?

O'CONNELL-I would like to submit an amendment on page 2, line 15, following "sub-division", insert: "except where the manufacturing of said signs can be done or is within the jurisdiction of a collective bargaining contract".

A roll call vote was taken, which passed 13 - 3 (reference roll call vote sheets).

Rep. Porter had suggested a possible amendment relative to "aggregate projects", which he decided would cloud the issue and subsequently withdrew.

O'CONNELL moves AS AMENDED DO PASS, which was carried unanimously.

HJR 9-BRAND-I think his intent is not quite clear in the bill, and I would like to see a subcommittee or something to clean it up. Resolutions don't force anybody to do anything, they just ask people to follow a criteria. This is for the apartment houses in towns.

January 24, 1979

FEDA moved DO NOT PASS, on HJR 9.

O'CONNELL-You might find that senior citizens have been robbed and beaten and this might help them. MAGONE-Is there a statute like this on the books now? KROPP-I don't see why we are singling out senior citizens. McBRIDE-Because senior citizens are alot of times all in one building, they are more susceptible. When I was campaigning, some people wouldn't even open their doors.

Feda's motion of DO NOT PASS failed 10 - 8 on a roll call vote (reference roll call sheet). After various discussion of possible amendments, JOHNSTON moved that HJR 9 be placed in a subcommittee, the motion carried with Sales opposing. Brand appointed the subcommittee as Kanduch Chairman, Porter and Staigmiller.

HB 23-KROPP proposed amendments changing the original amendment of "commensurate fee" to \$35, or deleting the inserted material and reinserting the deleted material with the \$35 added as needed.

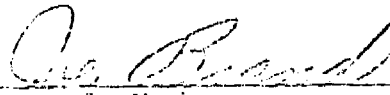
DONALDSON-The problem they are facing is inflationary. \$35 is inadequate; they didn't object to a limit but I think this is not enough and I would like to see this be permissive up to a level. BARDANOUVE-We are always critical about having so many bills, and this is one thing that makes such things. When you put such limits on them they will have to come back again. This is a self-supporting agency, and I think they should be able to set their fees as they see fit.

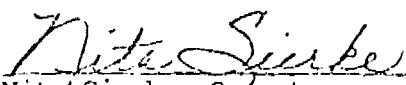
KROPP withdraws his amendment.

STAIGMILLER moved HB 23 DO PASS as presented, the motion carried with Brand, Magone, and O'Connell opposing.

HB 169-O'CONNELL moved DO PASS, the motion carried unanimously. McBRIDE moved that the bill be placed on the Consent Calendar, but the motion failed with Bardonoue and Johnston voting against it. BARDANOUVE-If it isn't a controversial bill I still like to have someone give me a little clarification -- it leaves me more satisfied. O'CONNELL-I have to agree. Regardless of our committee, I go back to my people and so many of these bills go through that I know nothing about; but on the other hand, so many times we spend two hours on a bill that doesn't need to be spent. KANDUCH-The Consent Calendar saves second reading printing costs. BRAND-I think we should take advantage of it sometimes and see what we can accomplish -- try something new and innovative.

Adjourned: 10:10 a.m.


Joe Brand, Chairman


Nita Sierke, Secretary

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 26, 1979

House Chambers
Capitol Building

House convened at 3:30 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Seifert, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Eighteenth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Signed by the Speaker on adjournment, 1/25/79 - SB 7, SB 24, SB 25.

BILLS (Metcalf, Chairman):

1/26/79

Correctly printed - HB 30, HB 127, HB 132, HB 168, HB 184, HB 192, HB 194, HB 203, HB 208, HB 223, HB 225, HB 226, HB 229, HB 242, HB 250, HB 259, HB 270, HB 300, HB 308.

Considered correctly engrossed - HB 24, HB 57, HB 147, HB 215, HB 218, HB 224, HJR 8.

Correctly enrolled - HB 41.

Examined by the Sponsor and found to be correct, 1/26/79 - HB 41.

Will be signed by the Speaker on adjournment, 1/26/79 - HB 41.

LEGISLATIVE ADMINISTRATION/BILLS AND JOURNAL (Metcalf, Chairman):

1/26/79

Recommend that the following be employed by the House of Representatives for the 46th Session at the beginning of business January 29, 1979:

Sharon G. Olson	Page
Elizabeth A. Kleinert	Page
Teri Schuman	Page
Ann E. Deegan	Page
Jody L. Brown	Page
Sheila Jenkins	Page

At the beginning of business January 31, 1979:

Will Kussman/Mattice Kussman	Page
Julie A. Strange	Page

At the close of business, January 20, 1979, the following also be terminated:

Janine Habets	Page
Neil Hanson	Page
Maureen A. Thompson	Page
Teresa Wearley	Page
Tony Schoonen	Page
Johanna E. Kolar	Page

At the close of business, January 27, 1979, the following also be terminated:

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Dussault moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading. Motion carried.

Lien in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That HB 23 do pass. (83-11)

That HB 124 do pass. (70-23)

That HB 169 do pass. (85-5)

That HB 178 do pass. (86-6)

That SB 56 be concurred in. (91-0)

Scully moved that SB 63 be moved to the bottom of the board. Motion carried.

That SB 78 be concurred in. (83-5)

That House Committee on Judiciary Report on Senate Bill No. 4, dated 1/24/79, be amended as follows: (89-4)

1. Amendments 6 and 7.

Strike: amendments 6 and 7 in their entirety

And as amended, be concurred in. (96-0)

That SB 63 be concurred in. (94-0)

That the Committee rise and report. (Lien, Chairman). Report adopted. (90-1)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 80 was passed by the following vote:

Ayes: Anderson, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fagg, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Johnson, Kanduch, Keedy, Kemmis, Kessler, Keyser, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, Rosenthal, Roth, Sales, Schultz, Sheldon, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Uhde, Vinger, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 84

Noes: Johnston, Moore, Smith, Stobie, Tropila, Underdal.

Total 6

Excused: Seifert.

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
January 29, 1979

House Chambers
Capitol Building

House convened at 2:29 p.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, Kanduch, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the Nineteenth Legislative Day, find the same to be correct.

METCALF, Chairman

REPORTS OF STANDING COMMITTEES

Do Pass

BUSINESS AND INDUSTRY (Quilici, Chairman):

1/29/79

HB 227, introduced bill, be amended as follows:

1. Page 3, line 9.
Following: line 8
Strike: "A"
Insert: "An annual"

2. Page 3, line 13.
Following: "license"
Insert: "referred to in subsection (7)"

And as amended, do pass. Report adopted.

HB 176, do pass. Report adopted.

Adverse Committee Reports

On motion by Day, the Adverse Committee Report on HB 144 was adopted by the following vote: (71-19)

Ayes: Anderson, Baeth, Bengtson, Bennett, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Day, Dozier, Dussault, Ellerd, Ernst, Eudaily, Fabrega, Feda, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Iverson, Jensen, Johnson, Johnston, Kemmis, Kessler, Lien, Lory, McBride, Magone, Manning, Marks, Menahan, Metcalf, Meyer, Moore, Nordtvedt, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Sales, Schultz, Sheldon, Sivertsen, Smith, South, Spilker, Stobie, Thoft, Uhde, Vincent, Waldron, Williams, Yardley, Mr. Speaker.
Total 71

Noes: Burnett, Donaldson, Ellison, Keyser, Kropp, Kvaalen, Lund, Manuel, Nathe, Ramirez, Roth, Scully, Seifert, Teague, Tropila, Underdal, Vinger, Wood, Wyrick.
Total 19

Excused: Fagg, Kanduch.
Total 2

Absent or not voting: Azzara, Bardanouve, Bertelsen, Ellis, Hurwitz, Keedy, Oberg, Staigmiller.
Total 8

Strike: amendments 1 and 2 in their entirety

That HB 208, second reading copy, be further amended as follows:

2. Page 2, lines 3 and 4.

Following: "institutions"

Strike: ", and construction projects up to \$25,000"

Insert: "(6) provide for construction projects up to the aggregate sum of \$25,000 per project, by residents of institutions; provided, however, said construction work is not covered by a collective bargaining agreement;"

Renumber: all subsequent subsections

And as amended, do pass. (92-2)

Scully moved that HJR 9 be segregated from the Committee of the Whole Report. Motion carried. (69-24)

Tropila moved that HB 332 be segregated from the Committee of the Whole Report. Motion failed. (43-52)

That the Committee rise and report. (Conroy, Chairman). And as amended, report adopted. (79-15)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 23 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Burnett, Conroy, Cooney, Curtiss, Daily, Day, Donaldson, Dozier, Dussault, Ellerd, Ellis, Ellison, Ernst, Eudaily, Fabrega, Fedra, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Iverson, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Kropp, Kvaalen, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Meyer, Nathe, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Porter, Quilici, Ramirez, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz, Scully, Seifert, Shelden, Sivertsen, South, Spilker, Staigmiller, Teague, Thoft, Tropila, Underdal, Vincent, Waldron, Williams, Wood, Wyrick, Yardley, Mr. Speaker.

Total 90

Noes: Hayne, Keyser, Moore, Smith, Stobie, Uhde, Vinger.

Total 7

Excused: Fagg, Kanduch.

Total 2

Absent or not voting: Dassinger.

Total 1

House Bill No. 124 was passed by the following vote:

Ayes: Anderson, Azzara, Baeth, Bardanouve, Bengtson, Bennett, Bertelsen, Brand, Conroy, Cooney, Curtiss, Daily, Dassinger, Donaldson, Dozier, Dussault, Ellis, Ernst, Eudaily, Frates, Gesek, Gilligan, Gould, Hand, Harper, Harrington, Hayne, Hemstad, Hirsch, Holmes, Huennekens, Hurwitz, Jensen, Johnson, Johnston, Keedy, Kemmis, Kessler, Keyser, Kropp, Lien, Lory, Lund, McBride, Magone, Manning, Manuel, Marks, Menahan, Metcalf, Nordtvedt, Oberg, O'Connell, Pavlovich, Pistoria, Quilici, Reichert, H. Robbins, K. Robbins, Rosenthal, Roth, Sales, Schultz,

HOUSE BILL NO. 23

INTRODUCED BY _____

BY REQUEST OF THE DEPARTMENT

OF PROFESSIONAL AND OCCUPATIONAL LICENSING

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THE BOARD OF VETERINARIANS TO ESTABLISH LICENSE AND EXAMINATION FEES FOR VETERINARIANS AND VETERINARY TECHNICIANS AND TO REQUIRE APPLICANTS FOR VETERINARY TECHNICIAN LICENSES TO FILE APPLICATIONS AND FEES WITH THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING; AMENDING SECTIONS 37-18-302, 37-18-303, AND 37-18-401, MCA; PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-18-302, MCA, is amended to read:

"37-18-302. Application -- qualification -- fee. A citizen of the United States desiring to begin the practice of veterinary medicine or veterinary surgery in this state or who desires to hold himself out to the public as a practitioner of veterinary medicine or veterinary surgery, except as provided in 37-18-104, shall make application to the department for a license to do so. The application shall be on a form furnished by the department and shall be accompanied by satisfactory evidence of the good moral character of the applicant and shall present evidence of his

having graduated in and received a degree from a legally authorized veterinary medical school having educational standards equal to those approved by the American veterinary medical association. On application, a photostatic copy of the diploma of the applicant shall be submitted to the department for inspection and verification. The photostatic copy remains the property of the department. A person applying for a license to practice shall pay to the department a ~~nonrefundable fee of \$25, which may not be refunded commensurate with the costs of the examinations and set annually by the board.~~

Section 2. Section 37-18-303, MCA, is amended to read:

"37-18-303. Examination -- temporary permit pending examination. (1) Subject to 37-1-101, the board shall by means of examination, either oral, written, or practical or a combination of oral, written, or practical as the board determines, ascertain the professional qualifications for license of applicants under this part. An investigation under reciprocity arrangements may replace examination for licensees from other states under 37-18-304. The department shall issue a license to all who are found to be, in the judgment of the board, competent to practice. A license may not be issued to a person who is not found by the examination or investigation to be competent.

(2) The examination shall be held in January and June

of each year at a time and place specified by the board. The examination shall cover theory and practice, pharmacology and therapeutics, animal sanitation, surgery, communicable diseases, and other subjects chosen by the board which are ordinarily included in the curriculum of a school of veterinary medicine recognized and approved by the American veterinary medical association.

(3) The department shall consecutively number applications received, note on each the disposition made of it, and preserve them for reference and shall number consecutively licenses issued.

(4) Applicants must achieve a grade of 70% in all subjects in order to obtain a license. An applicant who has failed an examination may apply to be reexamined at a subsequent examination and shall pay another application fee ~~in the amount of \$25 commensurate with the costs of the examinations and set annually by the board~~ and shall take another complete examination in all subjects.

(5) An applicant for examination may, in the discretion of the board, be given a temporary permit to practice veterinary medicine prior to taking the examination if the applicant is employed by and working under the supervision of and in the same office with a veterinarian licensed under this part. The temporary permit is valid only until the date of the next examination. Under no

circumstances may a second temporary permit be issued to the same person. A temporary permit may not be issued to a person who has failed an examination given under this section."

Section 3. Section 37-18-401, MCA, is amended to read:

"37-18-401. Application -- fee -- qualifications of applicants. Each candidate for examination as a veterinary technician shall file, in his full name, an application for examination with the board ~~department~~ at least 30 days before the date set by the board for the commencement of the examination and at the time of making the application shall pay the board ~~department~~ a fee of ~~\$25 commensurate with the costs of the examinations and set annually by the board~~. The applicant shall furnish satisfactory proof that he is of good moral character and has earned a diploma or certificate from a school of veterinary technology offering a course of study recognized and approved by the board of veterinarians, as well as such other information as may be required by the board."

Section 4. Effective date. This act is effective upon passage and approval.

-End-

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

March 14, 1979

The forty-second meeting of the State Administration Committee was called to order by Chairman Pete Story on the above date in Room 442 of the State Capitol at 10:00 A.M.

ROLL CALL: All members of the Committee were present, with Sen. Roskie arriving late to the meeting.

CONSIDERATION OF HOUSE BILL No. 686: The Chairman called on Rep. Richard Manning, House District 35, Great Falls, to present his testimony as sponsor of the Bill.

Rep. Manning advised this was a housekeeping bill from the Department of Business Regulation regarding earmarked funds from the sale of store licenses being credited to the general fund. Rep. Manning read his testimony, copy of which is attached to these minutes, which included a graph showing the income from the collection of the money from sale of store licenses, the amount spent for actual expenditures from this account and the balance remaining which was accumulating each year, with a projected balance at the year 1981 of nearly \$250,000 if it was allowed to continue.

There being no other proponents, no opponents, the hearing was opened for questions from the Committee.

Sen. Hafferman questioned that if this was the license the store had to pay to operate, why was not the license fee cut down if they didn't need the money to operate the function. Rep. Manning didn't know why they had managed the way they did to create this accumulation of money, unless it was a typical state policy.

Sen. Rasmussen inquired if the money would all go into the general fund, to which Rep. Manning replied that it would all go directly into the general fund and they would have to ask for an appropriation to cover the cost of operating the program.

There being no further questions, the hearing on House Bill No. 686 was closed.

CONSIDERATION OF HOUSE BILL No. 596: The Chairman called on Rep. Jerry Metcalf, House District 31, Helena, as sponsor of the Bill, to present his testimony.

Rep. Metcalf advised this was introduced at the request of the County Clerk and Records and deals with signatures on petitions. It asks for clarification of how to determine if they may be counted. The clerks are required to match these petition signatures with voter registration card lists to verify if they are valid. However, they ran into a real problem when, according to one district judge's ruling, the signature must be made substantially in the same manner as the signature on the registration card in order to qualify, but another judge ruled that it must be exactly the same in order to

March 14, 1979

are under the care of the state and should be taken care of by the state if they are still under incarceration. He stated because of the lack of facilities, a judge will sometimes sentence a person to a place other than the prison.

Sen. Jergeson inquired if it could be amended to specify that rates would be based on ability to pay and that it could not be over the actual cost of room and board.

Sen. Ryan questioned what could be done if a person refused to pay under this Bill - they were already in jail.

Sen. Jergeson then commented perhaps even though the concept of the Bill was good, it was unworkable.

Further discussion centered on the fact that these people were prisoners, the amount intended to save the state was only \$7 and the ability to make money during incarceration of these people.

Sen. Jergeson felt that the Bill in its present form was unworkable and perhaps should be amended to take care of these problems.

Sen. Brown felt a motion to pass consideration to allow more time to consider it would be in order.

Sen. Jergeson then withdrew his motion.

Chairman Story stated he would put this into a subcommittee to study the matter and report back in two days, with Sen. Ryan and Sen. Brown being appointed to this.

DISPOSITION OF HOUSE BILL No. 23: Sen. Story explained this would give the Veterinary Board the right to set its own fees and examination fee commensurate with the cost of the examination.

Sen. Bill Hafferman moved that House Bill No. 23 BE CONCURRED IN; motion carried by unanimous vote of the Committee members present, with Sen. Roskie being absent at this time. Sen. Hafferman will carry the Bill on the floor.

DISPOSITION OF HOUSE BILL No. 141: Chairman Story explained this Bill pertained to create a new Class D contractor and raised the contractor license fees.

Sen. Rasmussen moved that on page 1, line 25, the Bill be amended to strike the \$400 increase for a Class A license and put it back to \$300. Motion carried by unanimous vote.

Sen. Ryan questioned disposition of the money collected; Sen. Story stated it went to the general fund, and that the Bill pertained to those contractors bidding on government projects.

Sen. Roskie read from Section 15-50-204 regarding the necessity of the license before a contractor could get any state or government construction project.

Date March 1st, 1979

ROLL CALL

STATE ADMINISTRATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
Senator Pete Story, Chairman	✓		
Senator George F. Roskie, V. Chmn.	(not)		
Senator Bob Brown	✓		
Senator A. T. (Tom) Rasmussen	✓		
Senator Patrick L. Ryan	✓		
Senator Greg Jergeson	✓		
Senator William F. Hafferman	✓		

Each Day Attach to Minutes.

DATE March 14, 1979

COMMITTEE ON State Administration

Re: HB 596, 686 & 746
VISITORS' REGIS

VISITORS' REGISTER

-20

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date March 22 Bill No. 23 Time 1:30

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	(Absent)	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: Senator Bill Hafferman moved that House Bill No. 23
BE CONCURRED IN; motion carried by unanimous vote of
the Committee members present, with Sen. Roskie being absent.
Sen. Hafferman will carry the Bill on the floor.

(include enough information on motion—put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

March 14 1979

MR. President

We, your committee on State Administration

having had under consideration House Bill No. 23

Robbins (Hafferman)

Respectfully report as follows: That House Bill No. 23,

Third Reading Bill,

DO PASS: BE CONCURRED IN

Plu-

SIXTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 17, 1979

Senate Chambers
Capitol Building

Senate convened at 3:00 p.m., President Pro Tempore Kolstad presiding. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except Dover, Etchart, Galt, Jergeson, Lowe, Mathers, Palmer, Ryan, Watt, excused. Quorum present.

Special St. Patrick's Day festivities were enjoyed by the Senate.

REPORTS OF STANDING COMMITTEES

The Senate will please take note that the President did, at the hour of 7:00 p.m., 3/16/79, sign the following bills:

SB 9, SB 10, SB 152, SB 153, SB 251, SB 293, SB 296, SB 307, SB 336, SB 339, SB 350, SB 396, SB 407, HB 61, HB 145, HB 166, HB 247, HB 276, HB 327, HB 328, HB 337, HB 341, HB 403, HB 500, HB 574, HB 582, HB 589, HB 610, HB 644, HB 730, HB 735, HB 736, HB 756, HB 802, SJR 19, HJR 8.

William L. Mathers
President

Signed by the Speaker of the House and President of the Senate, 3/17/79, at the hour of 9:45 a.m., delivered to the Governor for his approval - SB 61, SB 101, SB 104, SB 109, SB 118, SB 120, SB 165, SB 189, SB 193, SB 196, SB 204, SB 264, SB 281, SB 287, SB 310, SB 332, SB 334, SB 344, SB 382, SB 421. Report adopted.

PRINTING (Nelson, Vice-Chairman):

Correctly printed and placed on the members' desks - SB 248, SB 358, SB 492, SR 3. Report adopted.

BILLS (Nelson, Vice-Chairman):

Considered correctly engrossed - SB 354, SB 372. Report adopted.

RULES (Stephens, Chairman):

SB 74, reference bill, be amended as follows:

1. Title, line 5.
Following: "TO"
Strike: "AMEND SECTION"
Insert: "AMENDING SECTIONS"

2. Title, line 6.
Following: "2-15-1005"
Insert: "AND 2-18-103"
Following: "WHICH"
Strike: "RELATES"
Insert: "RELATE"

And, as so amended, be sent to enrolling. Report adopted.

TAXATION (Turnage, Chairman):

SB 392 do pass. Report adopted.

SB 438 do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Excused: Etchart, Lowe.

Total 2

Absent or not voting: Manning.

Total 1

(Including the following pairs: Galt, aye - Towe, no; Dover, aye - Blaylock, no; Roskie, aye - Jergeson, no; Ryan, aye - Norman, no; Stephens, aye Palmer, no; Hazelbaker, aye - Watt, no.)

House Joint Resolution No. 43 was concurred in by the following vote:

Ayes: Aklestad, Anderson, Blaylock, Boylan, B. Brown, S. Brown, Conover, Fasbender, Goodover, Graham, Hafferman, Hager, Hazelbaker, Healy, Himsl, Kolstad, Lensink, Lockrem, Manley, Manning, McCallum, Mehrens, Nelson, Norman, Olson, O'Hara, Peterson, Rasmussen, Regan, Roskie, Severson, E. Smith, R. Smith, Stephens, Stimatz, Story, Thiessen, Thomas, Towe, Turnage, Van Valkenburg, Mr. President.

Total 42

Noes: None.

Total 0

Excused: Dover, Etchart, Galt, Jergeson, Lowe, Palmer, Ryan, Watt.

Total 8

Absent or not voting: None.

Total 0

House Amendments to Senate Bill No. 500 were concurred in by the following vote:

Ayes: Aklestad, Etchart, Goodover, Graham, Hafferman, Hager, Healy, Kolstad, Lensink, Lockrem, Manley, Manning, McCallum, O'Hara, Peterson, Rasmussen, Roskie, Severson, E. Smith, R. Smith, Stephens, Stimatz, Story, Thiessen, Thomas, Turnage, Mr. President.

Total 27

Noes: Anderson, Blaylock, Boylan, B. Brown, S. Brown, Conover, Fasbender, Hazelbaker, Himsl, Jergeson, Mehrens, Nelson, Norman, Olson, Regan, Towe, Van Valkenburg.

Total 17

Excused: Dover, Galt, Lowe, Palmer, Ryan, Watt.

Total 6

Absent or not voting: None.

Total 0

(Including the following pairs: Thomas, aye - Jergeson, no; Etchart, aye - Anderson, no.)

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Towe in the Chair.

Senate resumed. President Mathers in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 661 be concurred in. Opposed by Aklestad, S. Brown, Fasbender, Lockrem, Nelson, Olson, Rasmussen, Regan, R. Smith, Stephens, Thiessen, Mr. President.

That House Bill No. 23 be concurred in. Unanimously concurred in.

That Senate Bill No. 318 do pass. Unanimously passed.

That consideration of House Bill No. 63 be passed for the day. Unanimously passed.

That House Bill No. 141 be indefinitely postponed. Opposed by Hafferman, Himsl, Rasmussen, R. Smith, Towe, Van Valkenburg.

That House Bill No. 316 be concurred in. Opposed by Anderson, Hager, McCallum, Olson.

That House Bill No. 363 be concurred in. Opposed by Mathers.

That House Bill No. 555 be concurred in. Opposed by Anderson, Blaylock, S. Brown, Fasbender, Healy, Lensink, Manning, Norman, Peterson, Rasmussen, Regan, Stimatz, Towe, Van Valkenburg.

That the Committee rise and report. (Towe, Chairman)

Upon motion of Senator Towe, duly carried, the foregoing Report of the Committee of the Whole was adopted.

REPORTS OF STANDING COMMITTEES

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

BILLS (Dover, Chairman):

Correctly enrolled - SB 64, SB 278, SB 314, SB 337, SB 340, SB 341, SB 342, SB 376, SB 496. Report adopted.

I have examined Senate Bill No. 64 introduced by me and find the same to be correct. (Hazelbaker)

I have examined Senate Bill No. 278 introduced by me and find the same to be correct. (Thomas)

I have examined Senate Bill No. 314 introduced by me and find the same to be correct. (Conover)

I have examined Senate Bill No. 337 introduced by me and find the same to be correct. (Conover)

I have examined Senate Bill No. 340 introduced by me and find the same to be correct. (Thomas)

I have examined Senate Bill No. 341 introduced by me and find the same to be correct. (Turnage)

I have examined Senate Bill No. 342 introduced by me and find the same to be correct. (E. Smith)

I have examined Senate bill No. 376 introduced by me and find the same to be correct. (McCallum)

I have examined Senate Bill No. 496 introduced by me and find the same to be correct. (Turnage)

The Senate will please take note that the President will sign the following bills at the hour of adjournment, March 17, 1979:

SIXTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 20, 1979

Senate Chambers
Capitol Building

Senate convened at 1:30 p.m., President Mathers presiding. Invocation by the Chaplin. Pledge of Allegiance to the Flag.

Roll call. All members present except Conover, Lockrem, McCallum, O'Hara, Peterson, Rasmussen, Story, Thomas, Watt, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Dover, Chairman):

Considered correctly engrossed - SB 248. Report adopted.

The Senate will please take note that the President did, at the hour of 7:00 p.m., March 19, 1979, sign the following bills:

SB 215, SB 333, SB 338, SB 408, SB 466, HB 251, HB 318, HB 325,
HB 334, HB 412, HB 466, HB 489, HB 544, HB 581, HB 611,
HB 738, HB 763, SJR 1.

William L. Mathers
President

TAXATION (Turnage, Chairman):

SB 270 do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Blaylock, Boylan, B. Brown, Etchart, Galt, Goodover, Graham, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lowe, Manley, Manning, Mehrens, Nelson, Norman, Olson, Regan, Roskie, Ryan, Severson, E. Smith, Stephens, Stimatz, Thiessen, Towe, Turnage, Van Valkenburg, Mr. President.

Total 34

Noes: S. Brown, Dover, Hafferman.

Total 3

Excused: Conover, Lockrem, McCallum, O'Hara, Peterson, Rasmussen, Story, Thomas, Watt.

Total 9

Absent or not voting: Anderson, Fasbender, Palmer, R. Smith.

Total 4

SB 299 do not pass.

Thereupon, the Adverse Committee Report was adopted by the following roll call vote:

Ayes: Aklestad, Blaylock, Boylan, B. Brown, S. Brown, Etchart, Galt, Goodover, Graham, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lowe, Manley, Manning, Mehrens, Nelson, Norman, Olson, Regan, Roskie, Ryan, Severson, E. Smith, Stephens, Stimatz, Thiessen, Towe, Turnage, Van Valkenburg, Mr. President.

Total 35

Noes: Dover, Hafferman.

Total 2

South, Scully, Tropila, Bengtson, Hemstad, Keyser. Referred to Committee on Taxation.

HB 900, introduced by Bardanouve, Kvaalen, Vincent, Nathe. Referred to Committee on Rules.

HJR 53, introduced by Day, (House Agriculture Committee). Referred to Committee on Agriculture, Livestock, and Irrigation.

At the request of the President, and without objection the Senate passed to Order of Business No. 9.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 318 was passed by the following vote:

Ayes: Aklestad, Blaylock, Boylan, B. Brown, S. Brown, Conover, Dover, Etchart, Fasbender, Galt, Goodover, Graham, Hafferman, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lockrem, Lowe, Manning, McCallum, Mehrens, Nelson, Norman, Olson, O'Hara, Palmer, Peterson, Rasmussen, Regan, Roskie, Severson, E. Smith, R. Smith, Stephens, Stimatz, Story, Thiessen, Thomas, Towe, Turnage, Van Valkenburg, Watt, Mr. President.

Total 47

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Anderson, Manley, Ryan.

Total 3

House Bill No. 23 was concurred in by the following vote:

Ayes: Aklestad, Blaylock, Boylan, B. Brown, S. Brown, Conover, Dover, Etchart, Fasbender, Galt, Goodover, Graham, Hafferman, Hager, Hazelbaker, Healy, Himsl, Jergeson, Kolstad, Lensink, Lowe, Manley, Manning, McCallum, Mehrens, Nelson, Norman, Olson, O'Hara, Palmer, Peterson, Rasmussen, Regan, Roskie, Ryan, Severson, E. Smith, R. Smith, Stephens, Stimatz, Story, Thiessen, Thomas, Towe, Turnage, Van Valkenburg, Watt, Mr. President.

Total 48

Noes: Lockrem.

Total 1

Excused: None.

Total 0

Absent or not voting: Anderson.

Total 1

House Bill No. 179 was concurred in by the following vote:

Ayes: Aklestad, Blaylock, Boylan, B. Brown, S. Brown, Conover, Dover, Etchart, Fasbender, Galt, Goodover, Graham, Hafferman, Hager, Hazelbaker, Healy, Jergeson, Kolstad, Lensink, Lockrem, Lowe, Manley, Manning, McCallum, Mehrens, Nelson, Norman, Olson, O'Hara, Palmer, Peterson, Rasmussen, Regan, Roskie, Ryan, Severson, E. Smith, R. Smith, Stephens, Stimatz, Story, Thiessen, Thomas, Towe, Turnage, Van Valkenburg, Watt, Mr. President.

HOUSE BILL NO. 23

INTRODUCED BY K. ROBBINS

BY REQUEST OF THE DEPARTMENT

OF PROFESSIONAL AND OCCUPATIONAL LICENSING

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THE BOARD OF VETERINARIANS TO ESTABLISH LICENSE AND EXAMINATION FEES FOR VETERINARIANS AND VETERINARY TECHNICIANS AND TO REQUIRE APPLICANTS FOR VETERINARY TECHNICIAN LICENSES TO FILE APPLICATIONS AND FEES WITH THE DEPARTMENT OF PROFESSIONAL AND OCCUPATIONAL LICENSING; AMENDING SECTIONS 37-18-302, 37-18-303, AND 37-18-401, MCA; PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-18-302, MCA, is amended to read:

"37-18-302. Application -- qualification -- fee. A citizen of the United States desiring to begin the practice of veterinary medicine or veterinary surgery in this state or who desires to hold himself out to the public as a practitioner of veterinary medicine or veterinary surgery, except as provided in 37-18-104, shall make application to the department for a license to do so. The application shall be on a form furnished by the department and shall be accompanied by satisfactory evidence of the good moral character of the applicant and shall present evidence of his

having graduated in and received a degree from a legally authorized veterinary medical school having educational standards equal to those approved by the American veterinary medical association. On application, a photostatic copy of the diploma of the applicant shall be submitted to the department for inspection and verification. The photostatic copy remains the property of the department. A person applying for a license to practice shall pay to the department a nonrefundable fee of --\$25-- which --may-- not--be refunded commensurate with the costs of the examinations and set annually by the board."

Section 2. Section 37-18-303, MCA, is amended to read:

"37-18-303. Examination -- temporary permit pending examination. (1) Subject to 37-1-101, the board shall by means of examination, either oral, written, or practical or a combination of oral, written, or practical as the board determines, ascertain the professional qualifications for license of applicants under this part. An investigation under reciprocity arrangements may replace examination for licensees from other states under 37-18-304. The department shall issue a license to all who are found to be, in the judgment of the board, competent to practice. A license may not be issued to a person who is not found by the examination or investigation to be competent.

(2) The examination shall be held in January and June

1 of each year at a time and place specified by the board. The
 2 examination shall cover theory and practice, pharmacology
 3 and therapeutics, animal sanitation, surgery, communicable
 4 diseases, and other subjects chosen by the board which are
 5 ordinarily included in the curriculum of a school of
 6 veterinary medicine recognized and approved by the American
 7 veterinary medical association.

8 (3) The department shall consecutively number
 9 applications received, note on each the disposition made of
 10 it, and preserve them for reference and shall number
 11 consecutively licenses issued.

12 (4) Applicants must achieve a grade of 70% in all
 13 subjects in order to obtain a license. An applicant who has
 14 failed an examination may apply to be reexamined at a
 15 subsequent examination and shall pay another application fee
 16 ~~in the amount of \$25 commensurate with the costs of the~~
 17 ~~examinations and set annually by the board~~ and shall take
 18 another complete examination in all subjects.

19 (5) An applicant for examination may, in the
 20 discretion of the board, be given a temporary permit to
 21 practice veterinary medicine prior to taking the examination
 22 if the applicant is employed by and working under the
 23 supervision of and in the same office with a veterinarian
 24 licensed under this part. The temporary permit is valid only
 25 until the date of the next examination. Under no

1 circumstances may a second temporary permit be issued to the
 2 same person. A temporary permit may not be issued to a
 3 person who has failed an examination given under this
 4 section."

5 Section 3. Section 37-18-401, MCA, is amended to read:

6 "37-18-401. Application -- fee -- qualifications of
 7 applicants. Each candidate for examination as a veterinary
 8 technician shall file, in his full name, an application for
 9 examination with the ~~board department~~ at least 30 days
 10 before the date set by the board for the commencement of the
 11 examination and at the time of making the application shall
 12 pay the ~~board department~~ a fee of ~~\$25 commensurate with the~~
 13 ~~costs of the examinations and set annually by the board~~. The
 14 applicant shall furnish satisfactory proof that he is of
 15 good moral character and has earned a diploma or certificate
 16 from a school of veterinary technology offering a course of
 17 study recognized and approved by the board of veterinarians,
 18 as well as such other information as may be required by the
 19 board."

20 Section 4. Effective date. This act is effective upon
 21 passage and approval.

-End-